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Paper No. 17

In re Application of
W. Gregory Chernoff
Serial No. : 09/785,715
Filed : February 16, 2001
For : Tissue Treatment Method

: DECISION ON PETITION
: TO WITHDRAW
: HOLDING OF
: ABANDONMENT
:

This is a decision on petitioner's letter filed December 14, 2004, titled "Request to Accept Replacement Copy of the Appeal Brief and to Expedite the Appeal", which letter is being treated as a request to review the holding of abandonment mailed December 14, 2004 for failure to file an Appeal Brief following the filing of a Notice of Appeal on February 10, 2004. There is no fee required for this petition.

In support of the request, petitioner has submitted a copy of an Appeal Brief submitted in triplicate and a copy of a PTO stamped receipt dated April 8, 2004 as evidence of the timely filing of the Appeal Brief.

In view of the above, the Notice of Abandonment mailed December 14, 2004 is in error and is hereby vacated. The holding of abandonment is withdrawn. Upon the mailing of this decision, the application will be forwarded to the Examiner via the Legal Instruments Examiner for entry and consideration of the Appeal Brief filed April 8, 2004 as well as the Request to Confirm Continuity of Present Application 09/785,715 and Parent Application No. 09/173,990 filed December 14, 2004.

Summary: Holding of Abandonment Withdrawn.

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